## FEDERAL COMMUNICATIONS COMMISSION 445 TWELFTH STREET SW WASHINGTON DC 20554

MEDIA BUREAU AUDIO DIVISION

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January 23, 2014

Howard Lieberman Drinker Biddle & Reath LLP 1500 K Street NW, Suite 1100 Washington, DC 20005

Re: KREC (FM), Brian Head, UT

CCR - St. George IV, LLC

Facility Identification Number: 6784

Special Temporary Authority

BSTA-20140117AAO

## Dear Counsel:

This is in reference to the request filed January 17, 2014, on behalf of CCR – St. George IV, LLC ("CCR"). CCR explains that the electric generator at its mountaintop site was destroyed by fire, that there is no other electrical service at the site, and that the site is not accessible until spring. CCR requests special temporary authority ("STA") to operate Station KREC with temporary facilities from an existing tower structure.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service<sup>1</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>2</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station KREC may operate with the following facilities:

Geographic coordinates:

37° 38′ 43″N, 113° 22′ 22″W (NAD 1927)

Channel

251 (98.1 MHz)

Effective radiated power:

2 kilowatts (H&V)

Antenna height:

above ground:

22 meters

above mean sea level:

2408 meters

above average terrain:

746 meters

<sup>&</sup>lt;sup>1</sup> For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

<sup>&</sup>lt;sup>2</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour,

CCR must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on July 22, 2014.

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STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

Dale Bickel Senior Engineer Audio Division

Media Bureau

cc: CCR - St. George IV, LLC